

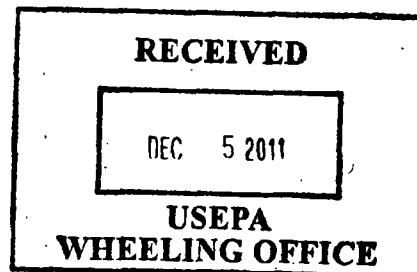


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

DEC - 1 2011

Ms. Carla L. Suszkowski, P.E.  
Environmental Engineering Manager  
Range Resources – Appalachian, LLC  
380 Southpointe Blvd., Suite 300  
Canonsburg, PA 15317



**Re: Regional Response Center Incident No. 994255**

**Discovery Date of Incident: October 31, 2011**

**Location of Incident: Farrar School Road, Hopewell, Washington County, Pennsylvania**

Dear Ms. Suszkowski:

This office has received notification that you<sup>1</sup> discharged oil and/or hazardous substances in quantities that may be harmful in violation of Section 311(b)(3) of the Federal Water Pollution Control Act, 33 U.S.C. § 1321(b)(3) ("the Act") from a facility located at or near Farrar School Road, Hopewell, Washington County, Pennsylvania ("Facility," as further defined in *Enclosure I*). Accordingly, the U.S. Environmental Protection Agency (EPA) would like to obtain additional information regarding the alleged incident or incidents and about efforts you have undertaken at the Facility to inhibit spills of oil and/or hazardous substances including whether you/your facility is in compliance with the Spill Prevention, Control and Countermeasures (SPCC) Regulations found at Title 40 C.F.R. Part 112.

Pursuant to Section 308(a) of the Act, 33 U.S.C. § 1318(a), you are hereby required to submit to EPA the information requested in this letter. If you fail to properly respond to this request, you may be subject to penalties. Pursuant to Section 309(g) of the Act, 33 U.S.C. § 1319(g), any person who violates Section 308 of the Act is subject to administrative penalties. Pursuant to Section 309(d) of the Act, 33 U.S.C. § 1319(d), any person who violates Section 308 of the Act is subject to a civil penalty of up to \$32,500 per day of violation. You also may be subject to criminal penalties pursuant to Section 309(c) of the Act, 33 U.S.C. § 1319(c), for negligently or knowingly providing false information in response to this request. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

You are entitled to assert a claim of business confidentiality covering any part or all of

<sup>1</sup>For purposes of this letter, the term "you" shall refer to an individual, a company, a partnership, a sole proprietorship, or a corporation, whichever is applicable.

the information, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

### **INFORMATION REQUIRED**

1. Identify all substances released from the Facility in connection with the above referenced Regional Response Center Spill Number or Numbers. Specifically, identify:

- a. The name and Chemical Abstract Services ("CAS") Number for each substance discharged;
- b. For oils, identify the type and grade;
- c. Provide the quantity, concentration of each substance discharged and the method by which the concentration was measured or estimated. For mixtures, provide the name, quantity, and concentration of each constituent of that mixture
- d. Provide the solubility and specific gravity of each substance discharged.
- e. Provide all sample analysis and/or reports related to the incident.

2. Describe the physical source (including, but not limited to vehicle, outfall, tank, container, pipe, ditch, conduit, or equipment) at the Facility from which the oil and/or hazardous substance or substances (the term "substance" as used here includes both oils and hazardous substances) initially was discharged on or around 10/31/11. If the substance was discharged from more than one source, please identify each specific source. Describe the purpose of the physical source as well as any connections to other parts of the facility.
3. Provide the total quantity of undiluted substance(s) released from the Facility onto the ground and to an body of water. Report this information in gallons for oils and in pounds for hazardous substances.
4. List the location of the discharge, including the closest street address, the city, county, state, zip code, and provide the Global Positioning System ("GPS") coordinates.
5. List the starting time, date, and duration of the discharge and the time and date when the discharge entered a waterway.
6. List the time and date of the discovery of the discharge and the person(s) who made the discovery.
7. List the federal and state agencies, if any, to which the owner and/or operator reported the discharge(s), the dates and times on which the reports were made, and the name(s) and title(s) of the person(s) who made the reports.
8. Identify the first body of water that the substance reached. Identify the actual or estimated quantity of the substance(s) that entered that water body. Describe the location of any other water bodies that the substance(s) subsequently entered, including the actual or approximate distance from the Facility. In addition, state the actual or estimated

quantity of the substance(s) that entered those additional water bodies.

9. Identify whether each water identified in response to Question 8 was, at the time of the spill, a "navigable water" as defined in *Enclosure 1*, a tributary of navigable water; and/or physically connected to navigable water. Identify all such navigable waters by name and identify the type of body of water (e.g. river, stream, lake, creek, or other type of body of water).
10. If no navigable waters are identified in response to Question 9, identify whether the water system at any time connects with or flows into any hydrological system (such as a creek system). If so, identify the flow, extent, and duration of the connection to that system.
11. Provide a description and the location of any adjoining shoreline upon which that substance may have reached. In addition, state the quantity of the substance that reached the adjoining shoreline.
12. For all discharges of oil to navigable waters, adjoining shorelines to navigable waters, or to any other water/shoreline, please indicate the following
  - a. Did you observe from the oil a film, sheen, discoloration or iridescent appearance on the surface or shoreline of any water? If yes, please describe your observations;
  - b. Did, to your knowledge, any other person observe from the oil a film, sheen, discoloration or iridescent appearance on the surface or shoreline of any water? If yes, please identify all such persons and describe those observations;
  - c. Did you observe any oil sludge or oil emulsion beneath the surface or on the adjoining shorelines of any water? If yes, please describe your observations;
  - d. Did, to your knowledge, any other person observe any oil sludge or oil emulsion to be deposited beneath the surface or on the adjoining shorelines of any water? If yes, please identify all such persons and describe those observations.
13. Describe any damage to animal life or vegetation that you observed or otherwise have knowledge of.
14. List the name, address, telephone number, and affiliation of any and all persons who made any observations in response to Questions 13.
15. Provide a complete description of the cause or causes of the discharge (e.g., pump failure, by-pass of treatment system), as well as any other relevant circumstances. If the discharge was caused by the actions of a third party (for instance, as the result of an accident or vandalism), describe in detail the measures that were in place to prevent such actions. For vandalism, identify any enforcement agencies to which the owner or operator reported the vandalism.
16. Describe all steps taken to contain and cleanup the spill(s) and to mitigate any environmental damage and/or threat to human health. Provide any remediation or after action reports that were generated.

17. Describe any actions taken or planned to prevent the recurrence of incidents such as the release(s) identified above.
18. List the names, addresses, telephone numbers, and affiliations (e.g., name of governmental agency, contractor, or other entity) of all persons who were on the scene during the incident and/or during cleanup operations, as well as any other persons not present but otherwise believed to have knowledge of the facts surrounding the incident or incidents. For each person identified in response to this question, provide the time period during which they were present at the facility. In responding to this question, for each complaint by an individual you have received related to your operations at the Facility, provide the person's name and phone number, as well as any written record of that complaint or a written narrative describing any oral complaint; Provide any subsequent communications with the party(ies) that filed the complaint.
19. Provide the name(s) and address(es) of the owner(s) of the Facility.
20. Provide the name(s) and address(es) of the owner(s) of the property on which the spill occurred. Include names of lessees, those holding easements or other entities that have a legal right to the property.
21. Provide the name and address of the operator(s) of the Facility described above, and describe the relationship between the owner(s) and operator(s) (i.e., employee, subcontractor, lessee, etc.). Identify any persons who concurrently with you exercised actual control or who held significant authority to control activities at the Facility at any time. In answering this question, include:
  - a. Partners and/or joint ventures;
  - b. All persons who exercised actual control over any activities or operations at the Facility;
  - c. All persons who held significant authority to control any activities or operations at the Facility;
  - d. All persons who had a significant presence or who conducted significant activities at the Site;
  - e. All government entities that had proprietary (as opposed to regulatory) interest or involvement with regard to the activity at the Facility.
22. Identify any other leaks, spills, or releases of oil and/or hazardous substances into the environment that have occurred from the Facility. For each such release, provide the following:
  - a. date;
  - b. duration of the release;
  - c. substance(s) released;
  - d. the approximate quantity of the substance(s) released;
  - e. the origin of the release;
  - f. the cause of the release;
  - g. the location of the release;
  - h. any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;

- i. The result of any and all investigations of the circumstances, nature, extent or location of the release or threatened release, including the results of any soil and water (ground and surface) testing undertaken;
  - j. Whether any persons were provided with an alternative water supply; and
  - k. All persons with information related to these releases.
23. Provide all reports, data or other information related to soil, water (ground and surface) and geology/hydrogeology at and around the Site. Provide copies of all documents containing such data or information, including past and present aerial photographs as well as documents containing the basis for and/or analysis or interpretation of that data or other information. .
24. Provide any other reports, information or data related to this incident that you, your contractors or other Government agencies may have generated in connection with this incident.
25. List any other information you wish to bring to the attention of the federal government at this time related to this matter.

Certify the information provided in response to the above questions in the following manner:

I hereby certify the above to be true and accurate to the best of my knowledge.

Signature: \_\_\_\_\_

Name (Please print or type): \_\_\_\_\_

Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Your response should be mailed within **forty-five (45) days** of your receipt of this letter to:

U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
OIL AND PREVENTION BRANCH (3HS61)  
1060 CHAPLINE STREET  
WHEELING, WV 26003

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

If you have any questions on this matter, please call Paula Curtin at (304) 234-0256 or have your attorney contact James VanOrden, at (215) 814-2693.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Melvin", written in a cursive style.

Karen Melvin, Associate Division Director  
Office of Enforcement  
Hazardous Site Cleanup Division

cc: Paula Curtin (3HS61)  
James VanOrden (3RC42)

## **ENCLOSURE 1: DEFINITIONS**

**Discharge:** For purposes of Section 311 of the Act, a discharge to navigable waters or adjoining shorelines includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping, but excludes certain discharges in compliance with a permit under Section 402 of the Act.

**Drill Pad:** Drill pad shall mean any drilling pad, platform, or other structure designed for use and/or actually used to drill for purposes of natural gas production, and shall include any and all equipment such as drill rigs, contained thereon.

**Facility:** The term facility shall mean any facility (such as a building, structure, installation, equipment, pipe, or pipeline) of any kind located in, on or under, any land within the United States other than submerged land where, in part, oil is used for non-transportation purposes as set forth in 40 C.F.R. § Part 112, Appendix A. The boundaries of a facility depend on site-specific factors, including but not limited to, the ownership or operation of the buildings, structures, and equipment on the same site and the type of activities at the site.

**Navigable Waters:** Navigable waters of the United States means "navigable waters" as defined in section 502(7) of the FWPCA, and includes: (1) All navigable waters of the United States, as defined in judicial decisions prior to passage of the 1972 Amendments to the FWPCA (Pub. L. 92-500), and tributaries of such waters; (2) Interstate waters; (3) Intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and (4) Intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce.

**Mobile Refueler:** Mobile refueler means a bulk storage container onboard a vehicle or towed, that is designed or used solely to store and transport fuel for transfer into or from an aircraft, motor vehicle, locomotive, vessel, ground service equipment, or other oil storage container.

**Natural Gas Production Facility:** Natural Gas Production Facility (NGPF) means all structures (including but not limited to wells, platforms, or storage facilities), piping (including but not limited to flowlines or gathering lines), or equipment (including but not limited to workover equipment, separation equipment, or auxiliary non-transportation equipment) used in the production, extraction, recovery, movement, stabilization, separation and/or treating of natural gas.

**Oil-filled Operational Equipment:** Oil-filled operational equipment means equipment that includes an oil storage container (or multiple containers) in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container, and does not include oil-filled manufacturing equipment (flow-through process). Examples of oil-filled operational equipment include, but are not limited to, hydraulic systems, lubricating systems (e.g., those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device.

**Well:** The term means any well that is used for or is related to natural gas production.

*Larry Holaday*  
*for Paula Curtin*

CONCURRENCES

SYMBOL	3HS61	3HS61	3HS60					
SURNAME	Curtin	Armstrong	Melvin					
DATE	11-29-11	<i>[Signature]</i> 11/29/11	<i>[Signature]</i> 11/29/11					

EPA Form 1320-1 (12-70)

OFFICIAL FILE COPY

*Range Resources Appalachia LLC*  
*Fannin School Rd; Hopewell Twp.,*  
*Washington County PA - 10-31-2011*  
*PA-12-0070*